**Appointment of Shri Shekhar Naphade as a senior counsel for Government of Maharashtra to Appear before the Hon'ble Supreme Court regarding matter of Krishna water Disputes and Mahadayi Water Disputes.**

**Government of Maharashtra**
**Water Resources Department**
**Govt.Resolution No. KWDT/2017/C.R. 79 /2017 /WRP**
**Madam Cama Road, Hutatma Rajguru Chowk,**
**Mantralaya, Mumbai - 400 032**
**Date: 12/07/2019**

**Reference**

1. Govt. Resolution No. KWDT/2004/(73/04)/WRP dated 13/5/2004
2. Letter from Suptd. Engr., KWDTSC, Pune No. 449 dt.26/04/2017.

**Preamble:-**

Government of India vide Notification from Ministry of Water Resources dated 2nd April, 2004 has constituted 'The Krishna Water Disputes Tribunal-II (KWDT-II)' at New Delhi for adjudication of water disputes regarding the interstate river Krishna .

KWDT-II declared the "Final Order" of KWDT in the original report under Section 5(2) on 30/12/2010.

After filing Reference Petitions by Maharashtra, Karnataka and Andhra Pradesh and by the Central Government, KWDT-II declared with justifications the revised report i.e. Further Report under Section 5(3) on 29/11/2013.

The final decision of KWDT-II has not been notified by the Central Government in the Official Gazette as the Reports are under challenge before the Supreme Court by the States of Andhra Pradesh and Karnataka. As such the decision of KWDT-II is not yet implementable.

Various SLP/Writ Petitions were filed by party States against the KWDT-II`s orders under Section 5(2) and Section 5(3) of ISWDA 1956. The details are as under-

| By State | SLP No. | Under Section |
|---|---|---|
| Andhra Pradesh | 10498/2011 | Section 5(2) |
| | 3076-79/2014 | Section 5(3) |
| Karnataka | 7457-60/2014 | Section 5(3) |
| Telangana | Writ Petition No.545/2015 & I.A. in Jan. 2018 | Article 32 of Constitution of India |
| | 33671-33626/2014 (old no.17658/2014) | Section 5(2) |
| | 33623-33626/2014 (old No.17551-54/2014) | Section 5(3) |
| Maharashtra | Caveat 2014 | Section 5(3) |

Government of India vide Notification from Ministry of Water Resources dated 16th November, 2010, has constituted 'The Mahadayi Water Disputes Tribunal' at New Delhi for adjudication of water disputes regarding the interstate river Mahadayi.

Under section 5(2) of ISWDA, 1956, Mahadayi Water Dispute Tribunal award is declared on 14/08/2018. Against this award various SLPs are filed by Maharashtra and Karnataka State in the Supreme Court. Hearings are pending on these SLPs.

For the work of Krishna Water Disputes Tribunal, Shri T. R. Andhyarujina Senior Advocate, Supreme Court, New Delhi was appointed as Senior Counsel vide government resolution No. KWDT/2004/(73/04)/WRP dated 13/5/2004. After his demise on 28/3/2017, a proposal to appoint other senior Advocate, Supreme Court, New Delhi in place of Shri T. R. Andhyarujina was under consideration of Government of Maharashtra.

2.0 **Government Resolution:-**

The Government of Maharashtra has decided to appoint Shri Shekhar Naphade, senior Advocate, Supreme Court, New Delhi as a Senior Counsel for Government of Maharashtra to appear before Hon'ble Supreme Court regarding various SLP/Writ petitions related to Krishna and Mahadayi Water Disputes. The Fees and other terms and conditions of appointment are as follow:

**Fees for Krishna Water Dispute Tribunals:**

| Sr. No. | Item | Fees Rs. |
|---|---|---|
| 1 | Attending Tribunal / Supreme Court in New Delhi charges per day or part thereof. | 7,50,000/- |
| 2 | Conference held for preparation of case or consultation at Delhi / Mumbai / Pune per hour or part thereof. | 1,00,000/- |
| 3 | Preparing / Settling Complaints, Applications, Replies, giving comments on demand etc. Charges per item. | - |
| 4 | Inspection of project / sites outside New Delhi charges per day or part thereof. | - |
| 5 | Air tickets for traveling (Executive Class is admissible) | As per Actual |
| 6 | Conveyance Charges | As per Actual |
| 7 | Hotel Charges | As per Actual |

**Fees Mahadayi Water Dispute Tribunals:**

| Sr. No. | Item | Fees Rs. |
|---|---|---|
| 1 | Attending Tribunal / Supreme Court in New Delhi charges per day or part thereof. | 7,50,000/- |
| 2 | Conference held for preparation of case or consultation at Delhi / Mumbai / Pune per hour or part thereof. | 1,00,000/- |
| 3 | Preparing / Settling Complaints, Applications, Replies, giving comments on demand etc. Charges per item. | - |
| 4 | Inspection of project / sites outside New Delhi charges per day or part thereof. | - |
| 5 | Air tickets for traveling (Executive Class is admissible) | As per Actual |
| 6 | Conveyance Charges | As per Actual |
| 7 | Hotel Charges | As per Actual |

3.0 This appointment of the Advocate shall remain valid till the final decisions of the Krishna and Mahadayi Water Dispute matters pending in the Hon`ble Supreme Court.

The Expenditure on this for Krishna Water Dispute matters shall be debited on the following account of head :

Demand No. I — 01

2701 - Major & Medium Irrigation

80 - General

800 - other expenditure

(08) - Krishna Water Dispute Tribunal

(08) (01) S.E. Krishna Water Dispute Tribunal Special cell, Pune (2701-965-5) Non plan/voted

28-Professional fees

4.0 The Expenditure on this for Mahadayi Water Dispute matters shall be debited on the following account of head :

Demand No. I — 05

4701 - Major & Medium Irrigation

80 - General

190 - Public Sector & other undertaking investment

(04) - Non Plan

(04) (03) Share Capital Contribution to KIDC (4701- I-189) -32, Contribution

5.0 This Government resolution of Maharashtra Government is available at the website www.maharashtra.gov.in. Reference No. for this is 201907121309556127. This Order has been signed digitally.

By Order and in the name of Governor of Maharashtra.

Rajnish Ramkishor Shukla

Digitally signed by Rajnish Ramkishor Shukla
DN: c=IN, o=Government Of Maharashtra, ou=Water Resources Department, postalCode=400032, st=Maharashtra, 2.5.4.20=d37cbfb080a0bc996a710b3c0aeea737985dac09cb66bbff878f42ad4e77a606, cn=Rajnish Ramkishor Shukla
Date: 2019.07.12 13:15:14 +05'30'

**(R. R. Shukla)**

**Deputy Secretary**

**Water Resources Department**

**Copy Forwarded to:**

1. The Principal Secretary to Hon'ble Chief Minister, Mantralaya, Mumbai- 32.
2. The Personal Asstt. to Hon'ble Minister, Water Resources Department. Mantralaya, Mumbai.
1. The Personal Asstt. to Hon'ble Minister of state, Water Resources Department. Mantralaya, Mumbai.
4. The Chief Secretary, Govt. of Maharashtra, Mantralaya, Mumbai-32.

5. The Additional Chief Secretary (Planning), Govt. of Maharashtra, Mantralaya, Mumbai-32.
6. The Principal Secretary (Finance), Finance Department, Mantralaya, Mumbai-32.
7. The Principal Secretary (W.R.), Water Resources Department, Mantralaya, Mumbai-32.
8. The Secretary (CAD), Water Resources Department, Mantralaya, Mumbai-32.
9. The Secretary (Project Co-ordination), Water Resources Department, Mantralaya, Mumbai-32.
10. The Executive Director, Krishna Valley Development Corporation, pune.
11. The Executive Director, Kokan Irrigation Development Corporation, Thane.
12. Supt. Engr. KWDT Special Cell, Central Building, Pune.
13. A. G. (Audit), Maharashtra 1/2, Mumbai / Nagpur.
14. A. G. (A&E), Maharashtra 1/2, Mumbai / Nagpur.
15. All Chief Engineer & Jt. Secretary, W.R.D., Mantralaya.
16. Deputy Secretary (Services), W.R.D, Mantralaya.
17. I.F.A. & J.S., W.R.D Water Resources Department, Mantralaya, Mumbai-32
18. Shri. Shekhar Naphade Senior Advocate, A-88 South Extension Part-II, New Delhi- 110 049.
19. Shri. D.M. Nargolkar, P-57, South Extension Part-II, New Delhi- 110 049.
20. WRP Desk for collection.